

**UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF ALABAMA
WESTERN DIVISION**

JANE DOE #1 and JANE DOE #2 on
behalf of themselves and all others
similarly situated,

Plaintiffs,

v.

MG FREESITES, LTD, d/b/a
“PORNHUB”; MG FREESITES II,
LTD; MINDGEEK S.A.R.L.;
MINDGEEK USA INCORPORATED;
MG CY HOLDINGS LTD;
MINDGEEK CONTENT RT LIMITED;
9219-1568 QUEBEC, INC., d/b/a
MINDGEEK); MG BILLING LTD

Defendants.

CIVIL ACTION NO. 7:21-CV-00220

Honorable L. Scott Coogler

NOTICE OF CHANGE IN AUTHORITY

Defendants MindGeek S.A.R.L., MG Freesites Ltd., MG Freesites II Ltd, MindGeek USA Inc., MG CY Holdings Ltd, MindGeek Content RT Ltd., 9219-1568 Quebec Inc., and MG Billing Ltd (collectively, “Defendants”) respectfully submit this Notice of Change in Authority to advise the Court that the court issuing the opinion in *J.B. v. G6 Hosp., LLC*, 2020 WL 4901196 (N.D. Cal. Aug. 20, 2020)—which was cited in both Plaintiffs’ and Defendants’ briefing—recently modified its prior decision on an issue that is central to this case, namely whether the FOSTA exception to Section 230 of the Communications Decency Act requires a plaintiff to prove that an ISP defendant itself violated Section 1591, the criminal statute

prohibiting sex trafficking. 47 U.S.C. § 230(e)(5)(A). The *J.B.* court previously held that it did not. On reconsideration, however, the court concluded “the most persuasive reading of section 230(e)(5)(A) is that it provides an exemption from immunity for a section 1595 claim ***if, but only if, the defendant’s conduct amounts to a violation of section 1591.***” See *J.B. v. G6 Hosp., LLC*, 2021 WL 4079207, at *12 (N.D. Cal. Sept. 8, 2021) (emphasis added) (attached as Ex. A).

DATED: September 13, 2021

Respectfully submitted,

/s/ Sara M. Turner

Sara M. Turner

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Attorneys for Defendants

CERTIFICATE OF SERVICE

I hereby certify that on September 13, 2021, I electronically filed the foregoing with the Clerk of the Court by using the CM/ECF system which will send notice of electronic filing to all counsel of record.

/s/ Sara M. Turner
Sara M. Turner